



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Yuji SAITO et al

Serial No.: 09/850,203

Filed: May 8, 2001

For: FUEL CELL AND METHOD FOR MAKING THE SAME

ATTN: BOX MISSING PARTS

Confirmation No. 9728

Atty. Docket No. 101213-00009

RESPONSE TO NOTICE TO FILE MISSING PARTS OF APPLICATION

Commissioner of Patents
ATTN: BOX MISSING PARTS
Washington, D.C. 20231

October 5, 2001

Sir:


In response to the Notice to File Missing Parts of Application dated July 5, 2001, the time for response being extended one month by the attached Petition for Extension of Time, enclosed herewith for filing is the executed Declaration and Power of Attorney for the above-identified patent application.

Included in the attached check is the amount of Eight Hundred Seventy Dollars (\$870.00) for payment of the surcharge fee. In the event that this check is found to be insufficient or if any additional fees are due with respect to this paper, please charge Deposit Account No. 01-2300.

In the event that this paper is not timely filed, applicants hereby petition for an appropriate extension of time. The fees for any such extension may be charged to our Deposit Account No. 01-2300.

Respectfully submitted,

ARENT FOX KINTNER PLOTKIN & KAHN, PLLC


Robert B. Murray
Attorney for Applicants
Reg. No. 22,980

1050 Connecticut Avenue, N.W.
Suite 400
Washington, D. C. 20036-5339
Tel (202) 857-6000
Fax (202) 638-4810

RBM:mmg

Enclosures: Check # 327/65
Notice to File Missing Parts of Application Form
Declaration and Power of Attorney

#3



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/850,203	05/08/2001	Yuji Saito	101213-00009

CONFIRMATION NO. 9728

FORMALITIES LETTER



OC000000006261502

AREN FOX KINTNER PLOTKIN & KAHN, PLLC
SUITE 800
1050 Connecticut Avenue, N.W.
Washington, DC 20036-5339

Date Mailed: 07/05/2001

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.
Applicant must submit \$ 710 to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).
- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- **The balance due by applicant is \$ 840.**

*A copy of this notice **MUST** be returned with the reply.*

Customer Service Center
Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

10/10/2001 NM0HAMM1 00000043 09850203

01 FC:101
02 FC:105

740. 0P
130.00 0P